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Subregional Centre for Human Rights and Democracy in Central Africa

Report of the Secretary-General**

Summary

The present report, submitted in accordance with General Assembly resolution 61/158, provides an overview of the work carried out by the Subregional Centre for Human Rights and Democracy in Central Africa and the most significant developments in its operations from September 2006 to August 2007. It describes the changes that have taken place at the Centre, including the change in leadership and strategic direction, and provides details on activities carried out in the areas of capacity-building for Governments in the region, technical cooperation and advisory activities, democracy and peace support, public information and dissemination of documentation, as well as the creation of more innovative partnerships with Governments, subregional organizations, diplomatic missions, civil society organizations and United Nations agencies.

* A/62/150.
** The report is submitted with delay owing to the need to include the most recent information.

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Contents

		Paragraphs	Page
I.	Introduction	1–4	3
II.	Subregional human rights environment and increasing role of the Centre	5–13	3
III.	Activities carried out from September 2006 to August 2007	14–47	5
	A. The new strategy of the Centre	14–19	5
	B. Human rights activities	20–27	7
	C. Activities related to democracy and rule of law	28–34	9
	D. Advisory services and technical cooperation	35–39	11
	E. The work of the Centre in promoting peace and security in Central Africa	40–42	12
	F. Internship programme	43–44	12
	G. Information and documentation	45–47	13
IV.	Development of partnerships	48–59	14
	A. Collaboration with the Economic Community of Central African States	48–49	14
	B. Collaboration with the diplomatic community, donors and civil society organizations	50–53	14
	C. Collaboration with United Nations agencies	54–59	15
V.	Conclusions and recommendations	60–63	16

I. Introduction

1. The Centre for Human Rights and Democracy in Central Africa was established in 2001 pursuant to General Assembly resolution 54/55 A of 1 December 1999, at the request of Member States that are members of the Economic Community of Central African States (ECCAS). The Centre operates under the auspices of the Office of the United Nations High Commissioner for Human Rights (OHCHR).

2. The mission of the Centre is to contribute to the enhancement of capacities in the promotion and protection of human rights, and to support the creation and/or strengthening of national institutions in addition to ensuring support for institutions of democracy and the creation of a democratic culture and the rule of law in the subregion. The Centre also strives to contribute towards the prevention of conflicts and the promotion of sustainable peace and development.

3. The Centre became fully operational in March 2001. In June 2002, it was officially inaugurated by the High Commissioner for Human Rights. The Centre has entered its sixth year of operations. It is at present composed of three professionals: the Director, the Regional Adviser on Democracy and the Human Rights Officer. An associate expert funded by the Netherlands has been working with the Centre since September 2005. In addition, the Centre hosts a consultant who serves as an adviser for the implementation of the programme under the Action 2 Initiative. The Centre also comprises three regular local staff, including a documentalist.

4. In addition to support from the regular budget, the Centre has continued to benefit from extrabudgetary resources, especially through the trust fund provided by the Government of France for a three-year period (2003-2006). OHCHR provides full assistance for the proper functioning of the Centre in the fulfilment of its mandate.

II. Subregional human rights environment and increasing role of the Centre

5. Human rights and democracy challenges persist in the Central African subregion. While in some countries there is greater space for political freedoms and fundamental liberties and Governments broadly tolerate activities aimed at sensitizing the population about their rights, there are countries in which such liberties are restricted, with Governments controlling all sectors of national activities in violation of human rights and fundamental freedoms proclaimed by the constitution and provided by international instruments.

6. There are countries in the region undergoing various levels of internal and external conflict, which their Governments have used as a pretext for restricting human rights. Although most States in the region have ratified the key human rights treaties and made public pledges to implement them domestically, much still remains to be done in most cases, and only modest progress has been registered in terms of actually transforming these international obligations into domestic law.

7. Discrimination remains a particularly serious concern in the region. Minorities like the Baka Pygmies face discrimination in accessing social, economic and cultural rights, particularly in terms of education, health and housing. Exploitation

of resources is a major issue as communities are being displaced and have to learn how to live in a completely different environment. Torture, child trafficking, slavery and sexual exploitation continue to be reported from some parts of the subregion. Although major efforts have been launched to address these violations, much remains to be done. Some Governments deny the existence of such issues, thus slowing down reforms in these areas.

8. With regard to the institutional framework, a number of Government-led human rights institutions have sprung up in many countries, although their effectiveness has varied from country to country. Most countries have made attempts to create national human rights commissions based on the Principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles), while others have created institutions within the Government machinery (such as departments or ministries) to improve human rights promotion and protection. Some of these institutions have addressed specific human rights cases and trends and have been instrumental in the promotion of human rights. A majority of them have extensive sensitization capacities which have been used properly, but in general they appear to shy away from dealing with sensitive or high-profile cases of violations.

9. Elections have been taking place periodically in most countries of the Central African region and the democratic space generally seems to be expanding, although it is clear that much more needs to be done in this area. Countries such as the Democratic Republic of the Congo have embraced electoral democracy and gone through what can be qualified as credible national elections, according to an international network of electoral monitors including the United Nations, the International Organization of la Francophonie and the Southern African Development Community. Other countries in the region have undertaken electoral processes that have been perceived as far less credible. Nevertheless, a number of Governments have expressed the need for technical assistance in the area of democracy and have demonstrated a willingness to review electoral codes and democratic processes to ensure inclusion of the majority of the population. Some State-appointed electoral commissions have conducted mass sensitization campaigns and have allowed the participation of civil society and other non-governmental actors in these processes.

10. Some parts of the subregion have a vibrant civil society, a development that has helped open up the political space and encouraged a constructive human rights dialogue. In some countries human rights groups have been actively engaged in human rights monitoring, visiting detention facilities, documenting specific cases of violations and publishing reports aimed at sensitizing the Governments on the need to improve their human rights standards. However, in some places, civil society activists, including human rights workers, have been restricted in their work, and there have even been cases of arrests of leading human rights figures. In other countries, civil society organizations have been threatened with closure. At the same time, the media continue to assert themselves in a subregion where journalists have faced harassment.

11. The Centre's work on these and other challenges in the subregion has been designed to ensure that there exists a concrete and reliable system of responding to the needs of stakeholders such as Governments and non-governmental organizations (NGOs) and also to ensure that the principles of human rights and democracy and

international mechanisms are better known, and that the Centre is able to address human rights issues directly with stakeholders and to identify avenues of collaboration with the Governments and other partners.

12. Following the departure of the Centre's first Director in September 2005, the Centre was for one year without long-term leadership, owing to delays in the recruitment process. On 1 September 2006, the new Director took over the operations of the Centre, embarking on a new direction through the development and adoption of a new strategy (see below).

13. The democracy programme of the Centre also became operational with the arrival of the Regional Adviser on Democracy in September 2006. There had been no such adviser since 2004. In 2007, the new democracy programme focused mainly on contributing to opening and consolidating the democratic space in the subregion to support Governments' initiatives to increase governance accountability and efforts towards durable peace.

III. Activities carried out from September 2006 to August 2007

A. The new strategy of the Centre

14. Following the change in leadership and the subsequent review of the Centre's activities in September 2006, a new three-year strategy for the Centre was adopted, focusing primarily on the areas within the dual democracy and human rights mandate in which the Centre would intervene most effectively within the region. The goals of the new strategy were developed to fit within the overall strategy of OHCHR as contained in the High Commissioner's Plan of Action (A/59/2005/Add.3, annex) and Strategic Management Plan 2006-2007. The strategy document that resulted in this process placed particular emphasis on the need to have results-based interventions that would also increase the Centre's visibility among the States of the Central African subregion, to ensure that all the activities of the Centre were linked to an overall strategic goal and to involve non-governmental actors in a more direct manner in the work of the Centre.

15. On the human rights side of the new strategy, the focus was on strengthening national human rights frameworks and building the capacity of Government ministries with human rights mandates, national human rights institutions, key actors and the general public, particularly in addressing issues such as impunity, discrimination and poverty. Human rights programmes would be developed in areas such as strengthening the human rights capacities of the United Nations country teams; enhancing treaty body reporting through training; monitoring, advising on and advocating for the implementation of ratified human rights treaties; providing more dynamic support to national human rights institutions; and greater involvement in human rights education and training and capacity-building programmes, especially those designed to protect marginalized groups in the subregion.

16. The democracy side of the new strategy laid out similarly critical goals. Programmes targeted in this part of the mandate included direct support to parliaments and the creation of parliamentary committees that focus on human rights; support for the judiciary and rule of law institutions in different countries;

ensuring the entrenchment of national electoral commissions in the constitutions of various Member States in order to ensure the holding of free and fair elections; and direct engagement with and support of credible civil society organizations. Two new issues that had hitherto featured less significantly in the previous work of the Centre were added to the democracy portfolio of the Centre, namely anti-corruption and transitional justice.

17. During the period under review, the Centre shared its new strategy with various interlocutors including members of Governments, civil society organizations, subregional organizations and some United Nations country teams. All counterparts broadly supported this strategy and accepted it as the basis for the Centre's future intervention in the subregion in the areas of human rights and democracy support. The strategy has also been discussed in the media and in other public forums. The need for the Centre's work to be more visible continues to be articulated by various partners and interlocutors, who point to the fact that the Centre was established to develop public awareness of human rights and democratic principles and practices in the Central African countries, in due cooperation with its partners and in support of the strengthening of national capacities of those countries.

18. As the Centre's visibility has risen with the various activities pursuant to its new strategy, so have the requests for assistance from Governments and other players in the subregion, who have been soliciting the Centre to participate in a myriad of programmes and activities in the areas of human rights and democracy and to be a partner in their work. Barely six months after the launch of the strategy, the Centre had received over 200 requests from Governments and various human rights and democracy actors and had begun to receive a large number of visitors interested in following up on its activities. The launching of the Centre's website further significantly enhanced the Centre's visibility (see below). Over 5,300 visits were made to the website by the end of July 2007, within its initial three months of existence.

19. As part of the implementation of the new strategy, and with a view to deepening its understanding of ways in which Governments and other actors in the subregion are dealing with challenges related to human rights and democracy, the Centre has embarked on a programme of visits with high-level officials in different countries (known as "human rights and democracy fortnights"). Under this programme, the Centre hopes to visit a number of countries with the aim of meeting all the human rights/democracy actors and interlocutors, explaining publicly its mandate and recent strategy, meeting with top Government leadership, interacting with the media and carrying out targeted training in human rights and democracy issues. The first such visit took place in Gabon from 8 to 23 April 2007. On that occasion, a delegation of the Centre was received by H.E. Mr. El Hadj Omar Bongo Ondimba, President of the Republic of Gabon, and discussed several issues related to the promotion of human rights and democracy. Similar visits have been planned for Equatorial Guinea, the Central African Republic and the Congo in the coming two years.

B. Human rights activities

20. During the first quarter of 2007, the Centre conceived and implemented a programme aimed at the protection of media freedom and the promotion of the right to information, two themes that had been identified as being of primary concern in the subregion. In February and March, the Centre organized three meetings with media professionals in Cameroon to explore ways of ensuring the enjoyment of the right to information in the country. These sessions started on 20 February 2007 with a meeting with members of the public media, who brainstormed with the Centre on the challenges facing the implementation of this right. A second meeting took place on 14 March and was attended by private media practitioners as well as civil society actors.

21. The Centre organized a joint workshop with both private and public media on 3 April 2007 during which the participants also brainstormed on the best strategies to be adopted to remove obstacles restricting media access to public information. They expressed the hope that restrictions on the freedom of information would be removed, which will create an environment in which the populations in the region will know more about and be able to influence Government decisions and public policies affecting them.

22. During its mission to Gabon, the Centre also organized a day of consultation on press freedom and the right to information in which 50 Gabonese journalists participated. The proceedings and discussions of the consultation were broadcast for three days on national TV. In Cameroon, in commemoration of World Press Freedom Day, the Centre disseminated article 19 of the Universal Declaration of Human Rights to over 50 educational institutions (primary, secondary and university level), and the messages of the High Commissioner for Human Rights and others were distributed widely and reported extensively in the local media.

23. Work on discrimination featured prominently, pursuant to the High Commissioner's Plan of Action and Strategic Management Plan. In this regard, the Centre organized various activities to sensitize the subregion on the need to take steps to eliminate discrimination in its various forms. Most of the activities centred on discrimination against disabled persons, minorities, indigenous peoples and those living with or affected by HIV/AIDS. In this regard, the Centre organized a workshop in Gabon on 12 April 2007 focusing on discrimination faced by people affected by AIDS, which was attended by over 50 representatives from Government, parliament, academia, civil society, the diplomatic corps and the United Nations country team. The workshop sought to address the discrimination that sometimes faces AIDS patients in hospitals, orphans and widows, as well as stigmatization in schools and homes. The need to train caregivers, hospital personnel and others who handle AIDS patients in order to prevent widespread discriminatory practices was stressed. On 15 February 2007, the Centre organized a conference in Cameroon on "The Convention on the Rights of Persons with Disabilities: for better protection against discrimination and social exclusion". Parliamentarians, ambassadors, representatives of the Government of Cameroon, representatives of the United Nations system, representatives of associations of persons with disabilities, academics and journalists attended the meeting and discussed alternatives for improving protection mechanisms for people living with disabilities. Among possible solutions, the right to education and the development of training programmes for teachers and people with disabilities, the enforcement of national

legal standards and the ratification of the new United Nations convention were mentioned.

24. The commitment to sensitize Governments and stakeholders in the region on the issue of torture remains a key pillar of the Centre's work. On 26 June 2007, the Centre, in partnership with the British Embassy in Cameroon and the non-governmental organization International Federation of ACAT (Action of Christians for the Abolition of Torture), organized a conference that coincided with the United Nations International Day in Support of Victims of Torture, during which the issue of the Government's responsibility under international human rights law was extensively discussed. Ambassadors accredited to Cameroon, heads of United Nations agencies, diplomats, NGOs, jurists, journalists and students attended the conference under the theme "Combating torture: an obligation to act". As part of the event, the Centre gave several interviews and disseminated information on radio, TV, newspapers and the Internet to sensitize decision makers, civil society and the general public about torture and to encourage Central African States that have not yet ratified the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment to do so. The Centre's work triggered newspaper articles on torture in Cameroon and led to a broad public debate on the issue.

25. On 28 March 2007, following a request by the secretariat of the United Nations Voluntary Fund for Victims of Torture, the Centre visited a project in Cameroon being considered for funding. The pre-screening visit to the Centre for Rehabilitation and Abolition of Torture based in Yaoundé was carried out to assess a number of elements such as the experience of the organization and its staff in the rehabilitation of victims of torture, the compatibility of its mandate with the activities proposed in its funding request and the existence of a fund management system, as well as the types of victims assisted. The Centre was able to carry out this assessment and reported back to the Fund the information sought.

26. The Centre carried out a number of activities aimed at promoting the rights of women and sensitizing people in the region about gender issues, pursuant to its new strategy. In this regard, the Centre organized two regional training of trainers courses in Gabon focusing on human rights and gender. The first of these took place from 15 to 19 April 2007, involving a dozen NGO workers selected by the Centre from Cameroon, the Republic of the Congo, Gabon and Equatorial Guinea. The second phase of this training took place from 12 to 17 June 2007. A third phase of this programme has been planned for the latter part of 2007, after which participants will be provided with small grants to start delivering training to future trainers in their respective countries. The training has allowed the trainers to function as a support network of Central Africa gender specialists and to develop a larger group of gender trainers and experts in Central Africa. The Centre was also at the forefront of the commemoration of International Women's Day on 8 March 2007.

27. The Centre also implemented activities that sought to promote and underline the importance of economic, social and cultural rights, particularly given the glaring discrepancy between the natural wealth of the subregion and the economic status of the majority of the population. The issue of poverty thus formed an important part of the Centre's sensitization programmes. On 11 December 2006, in commemoration of Human Rights Day, the Centre organized an official ceremony, followed by a week of activities during which more than 1,000 people were

informed at conferences and by media coverage on topics such as "Human rights, gender and poverty", "Human rights and rural poverty" and "Governance and the poverty reduction strategy". The Centre has raised awareness about other social and economic rights during the year, such as the right to health and labour rights.

C. Activities related to democracy and rule of law

1. Electoral processes

28. The Centre provided assistance and organized consultations in the context of country needs assessments and in further consolidation of the democratic process in Cameroon and other countries, particularly as concerns voter education and mechanisms of election observation, which were strengthened during the period under review. On 12 April 2007, a national consultation with civil society on elections was organized by the Centre in Yaoundé. Over 20 NGOs benefited from the expertise of the Centre on the role of elections in a democracy, the incorporation of human rights norms in national electoral programmes, the role of electoral commissions, and the strategies that should be adopted by members of civil society in the subregion in order to ensure peaceful, free and fair elections. The meeting also discussed the recent electoral law adopted by the parliament of Cameroon. Members of civil society who attended this consultation requested more institutionalized support from the Centre on the issue of elections and pledged to work in collaboration with the Centre to ensure widespread public sensitization to the mechanics of elections and to help train selected stakeholders.

29. On 17 July, the Centre hosted a training of trainers organized by the National Commission on Human Rights and Freedoms for the observers of the legislative and municipal elections. The training seminar brought together 20 participants from the 10 provinces of Cameroon as well as two facilitators from the National Elections Observatory. The participants were trained in the objectives and methodology of election observation, the institutional and judicial framework and principles of observation, as well as how to conduct the observation with an emphasis on vigilance, transparency and integrity.

30. The theme of elections also featured in subregional meetings. As part of the experts and ministerial meetings held at the thirteenth meeting of the ECCAS Heads of State and Government, the Centre was instrumental in helping the subregional body to develop the following recommendations on elections:

- Adoption of the declaration on support to electoral processes in ECCAS member States
- Creation of the ECCAS electoral support unit
- Adoption of the ECCAS electoral observers guide
- Decision-making on electoral observation missions in ECCAS member States upon request

31. On 25 April 2007 the Centre organized a discussion session on human rights and democracy for about 50 students of the influential International Relations Institute of Cameroon. The session focused mainly on the link between human rights and democracy and was aimed at providing members of the Human Rights Club (human rights association) of the Institute with the knowledge necessary to

sensitize their fellow students on these values, especially during the 2007 election year in Cameroon when the issue of participation in elections is an important one for young people. The students expressed their appreciation to the Centre for this outreach and hoped that such discussions would be held more frequently in the future in order to sensitize the general public on human rights and democracy.

32. On 2 May 2007, at the request of local interlocutors, the Centre organized a conference-debate at the Advanced School of Mass Communication in Yaoundé on "The role of the press in the pre-electoral period". One hundred participants attended the conference, mostly faculty of the school, resource persons from the Centre, students and journalists. During the conference both the Director and the Regional Adviser on Democracy addressed issues related to journalistic ethics and deontology, focusing on the responsibility of journalists with regard to the information they convey during the sensitive electoral period. This event focused on the Cameroonian parliamentary and municipal elections which were due to be held on 22 July 2007. Considerable media publicity was generated by the holding of this conference, thus ensuring widespread dissemination of the knowledge transmitted by the Centre on the issue.

2. Transitional justice

33. The Centre's leadership on the issue of transitional justice was reinforced by the holding of a major conference, the first of its kind, which took place in Yaoundé from 4 to 6 December 2006 and was attended by over 70 people from more than 20 countries in the Francophone world. The conference was organized in collaboration with the International Centre for Transitional Justice, the Ministry of Foreign Affairs of France and the Federal Department for Foreign Affairs of Switzerland under the theme: "Transitional justice in the Francophone world: current status". The participants and resource persons at this Conference included notable experts on the subject and the conference resulted in widespread sensitization of people in the subregion on the complex concepts of transitional justice and the options available for countries emerging from conflict and authoritarianism. A report of the conference was published in June 2007 by the Federal Department of Foreign Affairs of Switzerland.

34. Following a request by participants from the Central African region who attended the December 2006 conference on transitional justice, the Centre, with support from OHCHR headquarters in Geneva, organized a training of trainers workshop in Yaoundé from 11 to 13 June 2007. During this session, 16 human rights workers from eight countries of the Central African subregion were provided with focused, in-depth training on key transitional justice issues and concepts, with the aim of creating a trained pool of experts who can be called upon to provide support for Governments, NGOs and other stakeholders grappling with transitional justice issues. The workshop ended with a decision to organize a second follow-up training, scheduled for the last quarter of 2007. Once fully trained, these trainers are expected to conduct an international transitional justice conference, due to take place in the subregion in 2008.

D. Advisory services and technical cooperation

35. The Centre has continued to provide technical cooperation to Governments upon request. These requests have ranged from assisting the line ministries responsible for drafting reports under international human rights treaties to assistance with training security forces in human rights compliance. For example, in early 2007, the Centre received a formal request from the Government of the Republic of the Congo requesting specific assistance with the establishment of a national human rights observatory on the rights of the child as well as reporting under the International Convention on the Elimination of All Forms of Racial Discrimination. In response to this request, the Centre plans an assessment mission to the country in the latter part of 2007.

36. Similarly, during the Centre's mission to Gabon in June 2007, the Government requested technical assistance to train penitentiary administration staff, train officials in the rights of migrant workers and sensitize stakeholders on the problem of child trafficking. Officials from the Ministry of Justice also asked the Centre to help with training judicial police and prison administrators and guards in the Convention against Torture as well as to assist the country in addressing issues of education and reinsertion of young offenders. In Cameroon, the Government has sought the expertise of the Centre in training prison staff and penitentiary personnel in human rights issues. Most recently, the Government of Equatorial Guinea has requested the Centre to undertake a mission focusing, among other issues, on training of security forces and prison administrations in the observance of the Convention against Torture.

37. To further respond to the needs and requests of the Governments in the region, a strategy of regular formal and informal consultations with ambassadors of the Central Africa subregion was also initiated. On 24 January 2007, a day-long consultation was organized at the Centre's premises in Yaoundé, attended by representatives of eight countries who contributed to the development of the Centre's strategy in identifying the main areas of concern regarding human rights and democracy issues. The meeting was useful for recording the human rights challenges faced by the different countries of the subregion and increasing the awareness of the Centre of priorities in each country. The meeting also increased Governments' confidence in and reliance on the Centre and increased awareness of issues that need to be prioritized both nationally and regionally. Informal consultations with these Government representatives have been taking place on an ongoing basis throughout the year.

38. The Centre's expertise and services have also been sought by national human rights institutions in the region and efforts are under way to respond to all such requests. National human rights institutions have benefited from this assistance, for example, in Cameroon and Gabon. In Cameroon, from 4 to 7 June 2007, the Centre was one of the key trainers and resources at a major workshop organized for the benefit of the Cameroon National Commission for Human Rights and Freedoms by the Commonwealth Secretariat. Held in Yaoundé, the workshop brought in human rights experts from other parts of the Commonwealth and focused on the need to adhere to the Paris Principles. The workshop also coincided with an orientation course for newly recruited members and staff of the Commission and provided them with the necessary knowledge base to help them handle pressing human rights issues.

39. In all its dealings with State and non-State institutions in the subregion, the Centre has endeavoured to promote awareness of international human rights treaties and to ensure that they are well understood. A number of activities have been carried out in this regard. For example, on 6 February 2007, the Centre organized a video debate which consisted of the projection of the video *The Treaty Bodies; Bringing Human Rights Home*, followed by discussions. The objective was to raise public awareness of people engaged in the protection and promotion of human rights about the work of the United Nations treaty bodies. In attendance were representatives of embassies accredited to Cameroon, civil society organizations and students. Questions on the work of treaty bodies, the role of NGOs in the submission of alternative reports and the Centre's support to civil society organizations in the submission of reports were raised by participants.

E. The work of the Centre in promoting peace and security in Central Africa

40. The Centre has continued to offer its support to efforts aimed at enhancing peace and security in the subregion. From 14 to 18 May 2007, at a summit in Sao Tome and Principe on peace and security in Central Africa to which the Centre was invited, it was decided to encourage the pursuit of effective partnership between the United Nations and ECCAS. The meeting also endorsed "The Sao Tome and Principe Initiative" relating to the creation of a legal instrument to control small arms and light weapons in Central Africa, as well as a code of conduct for security and armed forces in Central Africa. The Centre intends to attend the next meeting, planned for 3-7 September 2007 in Yaoundé.

41. In June 2007, as part of the expert and ministerial meetings of the thirteenth summit of ECCAS, the Centre assisted in developing recommendations on peace and security relating to, inter alia, ensuring effectiveness of the Central Africa Multinational Force by setting up a regional headquarters and a regional brigade as the ECCAS contribution to the African Standing Force, as well as the creation of an early warning system unit within the ECCAS machinery.

42. The Centre was invited to participate in a conference on strategy, defence, security and conflict management organized by students of the University of Yaoundé II. The conference discussed standards on the protection of women during conflicts and the implementation of Security Council resolution 1325 (2000) in Africa. Students appreciated the Centre's participation and positive feedback has been received.

F. Internship programme

43. Since 2001, the Centre has run a successful internship programme for graduate students, human rights activists and representatives of Governments, national human rights institutions and civil society organizations involved in the promotion of human rights and the rule of law in the subregion. Since September 2006, the Centre has had eight interns: two from the Central African Republic, four from Cameroon, one from Equatorial Guinea and one from Italy. All were lawyers and human rights activists with outstanding records. The Centre has changed the terms of reference and recruitment system for interns and now has internships for two months,

renewable for up to six months, to ensure the sustainability of what is acquired and that interns will continue to work, as closely as possible, in the field of human rights. This has increased proficiency in human rights and democracy as well as human rights experience in Governments and administrations of the region as well as increased the visibility of the work of the Centre.

44. The Centre continues to receive many inquiries and applications for internships from abroad, notably Canada, France, Italy and Germany. While the Centre's internship programme is primarily for nationals of ECCAS member States, consideration is given to requests from outside the subregion as a way to build partnerships and enhance cross-fertilization of ideas with centres of excellence elsewhere.

G. Information and documentation

45. The Centre's new outreach strategy, which aims at giving appropriate visibility to the Centre and its critical work, contains an elaborate public information campaign and comprehensive media engagement plan, which have been considered necessary owing in particular to the essential role of the media in educating Governments and individual citizens in the region about their rights. Throughout the year, the Centre has had regular communication with heads of media houses and individual journalists, and Centre staff have appeared on the air on a regular basis to discuss different human rights concepts and educate the public on the need for widespread sensitization on human rights and democracy issues. Another strategy of the Centre over the last year has been to host "open door days" when the Centre invites the public to its offices for conferences and consultations on themes such as human rights education in schools, youth and the right to health, press freedom, women's rights, treaty bodies, racial discrimination, the right to information, the rights of people with disabilities, discrimination, torture and other topics of particular relevance in the subregion. Other outreach activities conducted by the Centre in the last year include the commemoration of special human rights days such as International Women's Day and the International Day of Peace, a policy that has helped the Centre to assert its leadership on human rights and democracy issues in the region.

46. The Centre's visibility achieved new heights with the launching of its website on 15 March 2007 at an event that generated unprecedented media attention throughout the region and brought together personalities from Government, diplomatic, professional and civil society circles. At a ceremony in Yaoundé hosted by the Minister of Communications, Njoh Mouelle Ebenezer, and the Secretary of State in charge of penitentiary administration, Emmanuel Ngafesson Bantar, the Centre's contribution to the development of human rights and democracy in Cameroon and the subregion was publicly acknowledged and lauded. The Minister of Communications welcomed the significant impact the Centre's website could have on information, education and training and called on the public to make good use of the facilities provided by the Centre.

47. The Centre has a modestly stocked documentation facility and reference library on its premises which have been widely consulted as sources of human rights and democracy information and documentation for the public, both inside Cameroon and in the subregion. The documentation centre welcomes researchers who are

working on human rights and democracy issues, as well as university students. Since the beginning of 2007, the documentation centre has received over 1,000 visitors while the number of regular registered users has risen sharply from 17 in September 2006 to over 100 in August 2007. This is mainly due to the Centre's increasing visibility.

IV. Development of partnerships

A. Collaboration with the Economic Community of Central African States

48. In accordance with the Memorandum of Understanding signed in July 2002 between the High Commissioner for Human Rights and the Secretary-General of ECCAS, the Centre continued in the year under review to provide advice and technical assistance to the ECCAS secretariat in order to create a conducive environment for the elaboration and implementation of subregional human rights initiatives.

49. From 30 May to 5 June 2007, the Centre participated in and addressed the thirteenth summit of ECCAS held in Brazzaville which was also attended by experts and ministers from the subregion. The Centre assisted in proposing recommendations on peace and security, elections, the International Conference on the Great Lakes Region, the Network of Central African Parliamentarians, freedom of movement, human trafficking, especially of women and children, and the transformation being discussed of the ECCAS secretariat. The Centre was also able to determine possible areas of cooperation with this regional organization. Prior to this, on 11 April 2007, during her mission to Gabon, the Centre's Director had met with the Secretary-General of ECCAS, who invited the Centre to present its strategy during the ECCAS summit.

B. Collaboration with the diplomatic community, donors and civil society organizations

50. Numerous efforts have been made by the Centre to reach out to civil society as well as to diplomatic missions based in the region. For example, through its civil society capacity-building project, the Centre has contributed to fostering partnerships between civil society organizations and some embassies in Cameroon.

51. On 19 June 2007, the Centre participated in a forum organized by the United States Embassy on the role of NGOs in Cameroon, at which the watchdog role of NGOs was examined. Similarly, on 27 June 2007, the Centre provided training sessions at a seminar organized by the British Council to a group of Cameroonian NGOs on treaty body shadow reporting.

52. On 13 February 2007, the Director met with the European Union (EU)/Delegation of the European Commission in Cameroon to discuss phase 2 of the Programme to improve the conditions of detention and respect for human rights (PACDET) project and work on opportunities for collaboration. PACDET is an EU project aimed at improving the administration of justice and conditions in 10 prisons in Cameroon. Funded jointly by EU and the Government of Cameroon, it seeks to

improve the judiciary and penitentiary institutions through training in the use of the recently adopted Penal Code and alternative punishments, public information and outreach, assistance to the judiciary and legal advice to citizens. The project is also aimed at improving conditions of detention as regards health-care services, food, education, professional training and income-generating activities. Training of trainers for penitentiary personnel is scheduled to take place in 2008 and 2009. The situation of vulnerable groups, especially children and women in prisons, will be priorities in order to ensure their social reintegration.

53. Collaboration with the regional office of the International Organization of la Francophonie was launched, with the Centre having three meetings with this office, based in Libreville, during a mission to Gabon in June 2007. The International Organization of la Francophonie helped the Centre in the organization of some of its activities. The two are currently looking for ways to develop joint programmes since human rights are a priority for both.

C. Collaboration with United Nations agencies

54. The strong partnership between the Centre and United Nations agencies in Cameroon and in the subregion played a significant role in supporting the efforts for the promotion and protection of human rights in Central Africa. Many activities have been carried out with United Nations country team members. On 29 November 2006, the Centre, in collaboration with UNAIDS, the Ministry of Public Health of Cameroon and the United Nations thematic group on HIV/AIDS, organized a conference-debate on "Principles and measures to better protect persons affected by HIV against discrimination".

55. On 20 June 2007, during the commemoration of World Refugee Day, the Centre joined the Office of the United Nations High Commissioner for Refugees (UNHCR) to defend refugee rights. The Centre was part of celebrations organized by UNHCR at which 12 groups representing the various nationalities of refugees in Cameroon put on a series of displays and exhibitions. It should be noted that a growing number of asylum-seekers in Cameroon are approaching the Centre for advice. The Centre is thus closely working with UNHCR on this and related issues.

56. On 16 June 2007, to celebrate the Day of the African Child, the Centre joined the United Nations country team to discuss the Convention on the Rights of the Child and State accountability. Discussions with representatives of civil society interested in reporting on the Convention's implementation were held.

57. On 29 May 2007, the United Nations Information Centre in Yaoundé organized a conference at which the Centre presented the efforts of OHCHR to support Member States in complying with human rights-related international obligations.

58. The Centre is actively involved in the work of the United Nations country teams in the subregion, particularly in Cameroon, taking on a rotating basis the chairmanship of the regular meetings, which provide a useful forum for sensitization and coordination of cross-cutting human rights and democracy-related issues. The Centre has used this opportunity to highlight issues of human rights mainstreaming, with a special emphasis on Action 2. The Action 2 project implemented by the Centre has two main components, including capacity-building for United Nations country team programme officers on the human rights-based approach, a survey of

the status of human rights reporting in Cameroon and an assessment of national human rights systems. Planning for the implementation of the project began in June 2007.

59. The Centre has participated in many United Nations country team meetings at which it presented the human rights perspective on various issues and increased human rights awareness and knowledge, including for programming. In addition, the Centre has taken the lead for several United Nations country team activities: World Press Freedom Day, a conference on migration, the International Day of United Nations Peacekeepers and model United Nations conferences in schools.

V. Conclusions and recommendations

60. With its new leadership, the Centre has decided to focus on human rights and democracy issues that could bring solid and sustainable results and have a rapid impact throughout the region while remaining in full compliance with the High Commissioner's Strategic Management Plan and Plan of Action. The new strategy of the Centre aims at developing concrete, effective, user-friendly systems to bridge the knowledge gap of Governments and other stakeholders in terms of treaty body reporting, human rights education and protection of human rights defenders, and to ensure that all human rights international mechanisms are ratified, incorporated into national legislation, understood and applied. The new strategy seeks to guarantee access to training and knowledge regarding human rights and democracy to the largest possible number of stakeholders. It also aims at bringing Governments, national institutions and other partners on board to become involved in the promotion and protection of human rights.

61. In 2007, the Centre has succeeded in reaching its strategic objectives through different means. The democracy programme has been restarted with a focus on supporting ECCAS and Government efforts and initiatives to build durable peace and address corruption issues in the Central African region. The Centre contributed to bridging the regional knowledge gap in terms of transitional justice and addressing issues of impunity, reparation and amnesty laws through two transitional justice seminars that have also tremendously increased the visibility of the Centre, particularly among its subregional and international partners which have since clearly indicated their interest in continuing to work with the Centre on a long-term basis. The Centre provided direct support to parliamentarians, contributed to increasing the participation of the most vulnerable and marginalized people in critical democratic processes and supported the strengthening of credible NGOs.

62. The human rights programme focused on strengthening national human rights frameworks and building the capacity of Government ministries with human rights mandates, national human rights institutions, key actors and the general public, particularly in addressing issues of impunity, discrimination and poverty. The Centre expanded its partnership with United Nations country teams through training in using the human rights-based approach, advising and advocating for their support in enhancing treaty body reporting and strengthening reliable and independent national human rights institutions, as well as a programme to protect the most vulnerable and marginalized groups of the subregion.

63. The General Assembly, in its resolution 61/158, requested the Secretary-General and the United Nations High Commissioner for Human Rights "to provide additional funds and human resources within the existing Office of the United Nations High Commissioner for Human Rights to enable the Centre to respond positively and effectively to the growing needs in the promotion and protection of human rights and in developing a culture of democracy and the rule of law in the Central African subregion". Efforts need to be made to ensure the full implementation of this resolution. This will enable the Centre to deliver on all its planned work and ensure its continued legitimacy and leadership on human rights and democracy issues in the region.

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Promotion and protection of human rights: human rights situations and reports of special rapporteurs and representatives

Situation of human rights in the Democratic People's Republic of Korea

Report of the Secretary-General**

Summary

The present report is submitted pursuant to General Assembly resolution 61/174, in which, for the first time, the Assembly requested the Secretary-General to submit a report to the Assembly at its sixty-second session on the situation of human rights in the Democratic People's Republic of Korea.

The report outlines activities undertaken by the United Nations, in particular the Office of the High Commissioner for Human Rights, to promote and protect human rights in the Democratic People's Republic of Korea. The report also contains information submitted to the United Nations High Commissioner for Human Rights by other United Nations agencies concerning the human rights of refugees, the right to food, the rights of the child, freedom of thought, expression and equal access to information in the Democratic People's Republic of Korea.

Both the General Assembly and the Commission on Human Rights have expressed their serious and deep concern at continuing reports of systemic, widespread and grave violations of human rights in the Democratic People's Republic of Korea. The Commission established the mandate of the Special Rapporteur on the situation of human rights in the Democratic People's Republic of Korea in resolution 2004/13. The Government of the Democratic People's Republic of Korea has not accepted the mandate of the Special Rapporteur and has not extended any cooperation or assistance to him in the discharge of his mandate.

* A/62/150.

** This report was submitted after the deadline so as to include the most recent developments.

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During the course of his mandate, the Special Rapporteur was not authorized to visit the country to establish direct contact with the Government and with the people of the Democratic People's Republic of Korea. While he has not been granted access to the country, the Special Rapporteur has continued to carry out his mandate to the best of his ability and to collect and receive credible and reliable information from relevant actors, including Governments, non-governmental organizations and any other parties that have knowledge of the situation.

The General Assembly, the Commission on Human Rights and the Human Rights Council have requested the High Commissioner for Human Rights to engage in a comprehensive dialogue with the authorities of the Democratic People's Republic of Korea with a view to establishing technical cooperation programmes in the field of human rights, and to submit her findings and recommendations to the Commission and, subsequently, to the Council. In December 2006, the Permanent Representative of the Democratic People's Republic of Korea to the United Nations Office at Geneva informed the High Commissioner that his Government does not recognize the resolution adopted by the Commission on Human Rights on the situation of human rights in the Democratic People's Republic of Korea and was therefore unable to accept the High Commissioner's offer to engage in technical cooperation activities. No further communication has been received from the Government on this matter. The High Commissioner and her Office will continue their efforts to engage in a constructive dialogue with the authorities of the Democratic People's Republic of Korea with a view to promoting and protecting human rights in the country.

The Working Group on Enforced or Involuntary Disappearances has transmitted nine cases to the Government of the Democratic People's Republic of Korea, all of which remain outstanding. The Working Group hopes that the Government will take steps to clarify the outstanding cases.

The Democratic People's Republic of Korea is a party to the International Covenant on Economic, Social and Cultural Rights; the International Covenant on Civil and Political Rights; the Convention on the Elimination of All Forms of Discrimination against Women; and the Convention on the Rights of the Child. The Government has reported to the respective monitoring bodies established under those treaties.

Contents

		Paragraphs	Page
I.	Introduction	1–6	4
II.	Cooperation with international human rights mechanisms	7–20	5
	A. Treaty bodies	7–9	5
	B. Special procedures	10–20	6
III.	Role of the Office of the High Commissioner for Human Rights in assisting the Government of the Democratic People's Republic of Korea in the promotion and protection of human rights	21–27	9
IV.	Assistance for the Promotion and Protection of human rights in the Democratic People's Republic of Korea extended by the United Nations system	28–41	10
	A. Office of the United Nations High Commissioner for Refugees	29	10
	B. Food and Agriculture Organization of the United Nations	30	11
	C. World Food Programme	31	11
	D. United Nations Children's Fund	32–38	12
	E. United Nations Development Programme	39–40	13
	F. United Nations Educational, Scientific and Cultural Organization	41	13
V.	Conclusions and recommendations	42–44	14

I. Introduction

1. The present report is submitted pursuant to General Assembly resolution 61/174, in which the Assembly requested the Secretary-General, for the first time, to submit a report to the Assembly at its sixty-second session on the situation of human rights in the Democratic People's Republic of Korea. The delegation of the Democratic People's Republic of Korea to the sixty-first session of the General Assembly resolutely opposed and rejected the adoption of resolution 61/174.[1]

2. The Commission on Human Rights, in its resolution 2005/11,[2] urged other United Nations bodies, in particular the General Assembly, to take up the question of the situation of human rights in the Democratic People's Republic of Korea if the Government does not extend cooperation to the Special Rapporteur on the situation of human rights in the Democratic People's Republic of Korea and if improvement of the situation of human rights in the country is not observed. The General Assembly subsequently adopted resolutions 60/173 and 61/174 on the situation of human rights in the Democratic People's Republic of Korea.

3. In resolution 61/174 the Assembly expressed its very serious concern at continuing reports of systemic, widespread and grave violations of human rights in the Democratic People's Republic of Korea, including:

(a) Torture and other cruel, inhuman or degrading treatment or punishment, public executions, extrajudicial and arbitrary detention, the absence of due process and the rule of law, the imposition of the death penalty for political reasons, the existence of a large number of prison camps and the extensive use of forced labour;

(b) The situation of refugees expelled or returned to the Democratic People's Republic of Korea and sanctions imposed on citizens of the Democratic People's Republic of Korea who have been repatriated from abroad, such as treating their departure as treason, leading to punishments of internment, torture, cruel, inhuman or degrading treatment or the death penalty, and urged all States to ensure respect for the fundamental principle of non-refoulement;

(c) All-pervasive and severe restrictions on the freedoms of thought, conscience, religion, opinion and expression, peaceful assembly and association and on equal access to information and limitations imposed on every person who wishes to move freely within the country and travel abroad;

(d) Continuing violation of the human rights and fundamental freedoms of women, in particular the trafficking of women for the purpose of prostitution or forced marriage, forced abortions, and infanticide of children of repatriated mothers, including in police detention centres and camps;

(e) Unresolved questions of international concern relating to the abduction of foreigners in the form of enforced disappearance, which violates the human rights of nationals of other sovereign countries;

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[1] See the statement made on 9 November 2006 by the Deputy Permanent Representative of the Democratic People's Republic of Korea to the United Nations at the forty-third meeting of the Third Committee of the General Assembly at its sixty-first session (A/C.3/61/SR.43, paras. 23-25).

[2] See *Official Records of the Economic and Social Council, 2005, Supplement No. 23* and corrigenda (E/2005/23 and Corr.1 and 2), chap. II, sect. A.

(f) The violations of economic, social and cultural rights, which have led to severe malnutrition and hardship for the population in the Democratic People's Republic of Korea;

(g) Continuing reports of violations of the human rights and fundamental freedoms of persons with disabilities, especially on the use of collective camps and of coercive measures that target the rights of persons with disabilities to decide freely and responsibly on the number and spacing of their children.

4. The Assembly also expressed its strong concern that the Government of the Democratic People's Republic of Korea had not engaged in technical cooperation activities with the United Nations High Commissioner for Human Rights and her Office, despite efforts by the High Commissioner to engage in a dialogue with the authorities in this regard.

5. The Assembly furthermore expressed its very deep concern over the precarious humanitarian situation in the Democratic People's Republic of Korea, compounded by the mismanagement on the part of the authorities, in particular the prevalence of infant malnutrition, which, despite recent progress, continued to affect the physical and mental development of a significant proportion of children, and urged the Government to facilitate the continued presence of humanitarian organizations to ensure that humanitarian assistance was delivered impartially to all parts of the country on the basis of need in accordance with humanitarian principles.

6. The Assembly strongly urged the Government of the Democratic People's Republic of Korea to respect fully all human rights and fundamental freedoms and, in this regard, to implement fully the measures set out in previous resolutions of the General Assembly and the Commission on Human Rights, and the recommendations addressed to the Government by the United Nations special procedures and treaty bodies, and to extend its full cooperation to the Special Rapporteur on the situation of human rights in the Democratic People's Republic of Korea, including by granting him and other United Nations human rights mechanisms full, free and unimpeded access to the Democratic People's Republic of Korea.

II. Cooperation with international human rights mechanisms

A. Treaty bodies

7. The Democratic People's Republic of Korea is a party to four of the seven core international human rights treaties: the International Covenant on Economic, Social and Cultural Rights; the International Covenant on Civil and Political Rights; the Convention on the Elimination of All Forms of Discrimination against Women; and the Convention on the Rights of the Child. The ratification of these four international treaties offers a solid basis for the promotion and protection of human rights in the Democratic People's Republic of Korea.

8. The Democratic People's Republic of Korea has submitted its second periodic report concerning the implementation of the International Covenant on Economic, Social and Cultural Rights (E/1990/6/Add.35), its initial report concerning the implementation of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW/C/PRK/1) (the second periodic report has been overdue since March 2006), its second periodic report on the implementation

of the Convention on the Rights of the Child (CRC/C/65/Add.24) and its second periodic report on the implementation of the International Covenant on Civil and Political Rights (CCPR/C/PRK/2000/2) (the third periodic report has been overdue since January 2004). In examining these reports, the respective committees noted a number of concerns within the areas of their mandates and which were expressed in the conclusions and recommendations for improvements that they addressed to the Government (conclusions and recommendations of the Committee on Economic, Social and Cultural Rights, document E/C.12/1/Add.95; concluding comments of the Committee on the Elimination of Discrimination against Women (CEDAW/C/PRK/CO/1); concluding observations of the Committee on the Rights of the Child, document CRC/C/15/Add.239; concluding observations of the Human Rights Committee, document CCPR/CO/72/PRK).

9. The Government of the Democratic People's Republic of Korea invited the Committee on the Rights of the Child to visit the country in 2004. A two-member delegation of the Committee, accompanied by the Secretary of the Committee, visited the country in April 2004 prior to the presentation of the State party's second periodic report to the Committee at its thirty-sixth session. The delegation had the opportunity to discuss the situation of children's rights with several key Government officials and foreigners working in the Democratic People's Republic of Korea, including staff members of the United Nations Country Team, the diplomatic community and international non-governmental organizations. The delegation was able to visit a large number of institutions relating to children in Pyongyang and South Phyongan Province.

B. Special procedures

10. The Government of the Democratic People's Republic of Korea has not issued a standing invitation to the special procedures of the Commission on Human Rights/ Human Rights Council and did not accept requests by the Special Rapporteur on freedom of religion or belief, the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, the Special Rapporteur on the right to food and the Special Rapporteur on the situation of human rights in the Democratic People's Republic of Korea to visit the country.

11. A number of special procedures, including the Special Rapporteur on the situation of human rights in the Democratic People's Republic of Korea, the Special Rapporteur on torture and other cruel, inhuman or degrading treatment of punishment, the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, the Special Rapporteur on violence against women, its causes and consequences, the Special Rapporteur on freedom of religion or belief, the Special Rapporteur on the independence of judges and lawyers, the Special Rapporteur on trafficking in persons, especially women and children, the Special Rapporteur on the sale of children, child prostitution and child pornography, the Special Rapporteur on extrajudicial, summary or arbitrary executions, the Special Rapporteur on the right to food and the Working Group on Arbitrary Detention have sent written communications to the Government of the Democratic People's Republic of Korea drawing attention to information received concerning human rights violations in the country. The Government of the Democratic People's Republic of Korea replied to the greater part of the written

communications sent by special procedures since the adoption of Commission on Human Rights resolution 2003/10[3] by rejecting the content of the letter.

1. Special Rapporteur on the situation of human rights in the Democratic People's Republic of Korea

12. The mandate of the Special Rapporteur on the situation of human rights in the Democratic People's Republic of Korea was established by the Commission on Human Rights in its resolution 2004/13[4] and extended in resolution 2005/11. In its decision 1/102,[5] the Human Rights Council decided to extend all mandates and mechanisms transferred to it by the Commission on Human Rights pursuant to resolution 60/251 of the General Assembly. In decision 5/101,[6] the Council decided to extend the mandate of the Special Rapporteur on the situation of human rights in the Democratic People's Republic of Korea until the date on which it will be considered by the Council according to the programme of work. The delegation of the Democratic People's Republic of Korea to the fifth session of the Council "categorically and resolutely" rejected the extension of the mandate of the Special Rapporteur (see A/HRC/5/G/11).

13. According to Commission on Human Rights resolution 2004/13, the Special Rapporteur is mandated to establish direct contact with the Government and with the people of the Democratic People's Republic of Korea, including through visits to the country, and to investigate and report on the situation of human rights in the Democratic People's Republic of Korea and on the Government's compliance with its obligations under international human rights instruments. The Special Rapporteur is also mandated to seek and receive credible and reliable information, including through visits to the country, from all relevant actors, including Governments, non-governmental organizations and any other parties who have knowledge of the human rights situation in the Democratic People's Republic of Korea.

14. The Government of the Democratic People's Republic of Korea has not accepted the mandate of the Special Rapporteur, arguing that the resolution establishing the mandate "represents an extreme manifestation of politicization, selectivity and double standards" (see A/HRC/5/G/5),[7] and has not extended any cooperation to the Special Rapporteur. The Special Rapporteur has tried to engage with the Government on various occasions; however, the authorities have consistently denied his requests to visit the country, resolutely and categorically rejecting the resolution establishing the mandate of the Special Rapporteur and reminding the Office of the High Commissioner for Human Rights that "the request of the Special Rapporteur for a visit is completely impossible to be met at all".[8] The Special Rapporteur has continued to fulfil his mandate to the best of his ability

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[3] Ibid., *2003, Supplement No. 23* (E/2003/23), chap. II, sect. A.

[4] Ibid., *2004, Supplement No. 23* (E/2004/23), chap. II, sect. A.

[5] See *Official Records of the General Assembly, Sixty-first Session, Supplement No. 53* (A/61/53), chap. II, sect. B.

[6] See A/HRC/5/21, chap. I, sect. B.

[7] See also the statements by the Observer for the Democratic People's Republic of Korea at the sixty-first session of the Commission on Human Rights (E/CN.4/2005/SR.50) and at the fourth session of the Human Rights Council (A/HRC/4/SR.20).

[8] Letter dated 3 October 2005 from the Permanent Mission of the Democratic People's Republic of Korea to the United Nations Office in Geneva addressed to the Office of the High Commissioner for Human Rights.

based on information collected from other Governments and a variety of other sources.

15. In view of the fact that the Special Rapporteur continued to be prevented from visiting the Democratic People's Republic of Korea, he visited neighbouring countries where he received the support of Governments, members of civil society and United Nations agencies. In December 2006, as a follow-up to his visits to these countries in 2005, the Special Rapporteur visited Japan (10-14 December 2006), Mongolia (18-23 December 2006) and the Republic of Korea (14-18 December 2006) to gather information on the human rights situation in the Democratic People's Republic of Korea and to examine the consequences and impact of the human rights situation in the Democratic People's Republic of Korea on these countries. One of the most important issues raised during his various country visits was the fate of those abducted by agents of the Democratic People's Republic of Korea and those fleeing from the Democratic People's Republic of Korea.

16. The Special Rapporteur presented his last report to the General Assembly (A/61/349) on 20 October 2006 and to the Human Rights Council (A/HRC/4/15) on 22 March 2007. In the latter report, the Special Rapporteur analysed the information related to a number of key human rights violations, in particular rights pertaining to food, security of the person, humane treatment and justice; refugees/those seeking refuge; specific groups, in particular women and children; and the responsibility of the State authorities to protect human rights and fundamental freedoms and related accountability. The Special Rapporteur will submit a separate report to the General Assembly at its present session.

2. Working Group on Enforced or Involuntary Disappearances

17. As stated in its latest report to the Human Rights Council (A/HRC/4/41), the Working Group on Enforced or Involuntary Disappearances has transmitted a total of nine cases to the Government of the Democratic People's Republic of Korea, which the Working Group considers to be still outstanding. In addition to eight cases of disappeared Japanese nationals abducted in the 1970s and 1980s, a further case of the disappearance of a female national of the Republic of Korea on the border between China and the Democratic People's Republic of Korea was reported to have occurred in 2004.

18. The Government of the Democratic People's Republic of Korea transmitted a communication to the Working Group on 24 May 2006 in which it replied concerning all nine outstanding cases. As reported by the Working Group (ibid., para. 153), the Government stated that with regard to the eight cases of Japanese nationals, it had already provided the Government of Japan with detailed information on those persons. With regard to the other outstanding case, the Government stated that it had undertaken an investigation into the case and that neither that incident nor any similar act had occurred in the border area.

19. In a further communication to the Working Group dated 12 September 2006, the Government reported that in a recent press interview the husband of one of the Japanese abductees had confirmed that his wife was dead (ibid., para. 154).

20. In respect of the nine outstanding cases, the Working Group is unable to report on the fate or whereabouts of the disappeared persons. The Working Group hopes

that the Government of the Democratic People's Republic of Korea will take steps to clarify the outstanding cases.

III. Role of the Office of the High Commissioner for Human Rights in assisting the Government of the Democratic People's Republic of Korea in the promotion and protection of human rights

Technical cooperation

21. In its resolutions 2003/10 and 2004/13 the Commission on Human Rights requested the High Commissioner for Human Rights to engage in a comprehensive dialogue with the authorities of the Democratic People's Republic of Korea with a view to establishing technical cooperation programmes in the field of human rights and to submit her findings and recommendations to the Commission at its sixtieth and sixty-first sessions, respectively. In resolution 2005/11 the Commission requested the High Commissioner to continue her efforts to engage in a comprehensive dialogue with the authorities of the Democratic People's Republic of Korea on the same matter. In its decision 2/102,[9] the Human Rights Council requested the High Commissioner for Human Rights to continue with the fulfilment of her activities, in accordance with all previous decisions adopted by the Commission on Human Rights and to update the relevant reports and studies.

22. In line with standard policy and practice developed pursuant to General Assembly resolution 926 (X) of 14 December 1955, which established the United Nations programme of advisory services and technical cooperation in the field of human rights, various forms of assistance in the area of human rights are at the disposal of Member States upon their request.

23. On 8 August 2003, with a view to exploring ways of initiating technical cooperation between the Office of the High Commissioner for Human Rights and the Democratic People's Republic of Korea, the then Acting High Commissioner addressed a letter to the Permanent Representative of the Democratic People's Republic of Korea to the United Nations Office at Geneva, inviting him to engage in a dialogue regarding technical cooperation matters. On 24 August 2004, 28 November 2005 and 6 December 2006, both the Acting High Commissioner and the High Commissioner met with the Permanent Representative of the Democratic People's Republic of Korea to the United Nations Office at Geneva.

24. During these meetings, the Acting High Commissioner and the High Commissioner raised the possibility of exploring ways of engaging in technical cooperation activities and made several proposals for technical cooperation, such as activities in the area of human rights treaty implementation.

25. In the meeting on 24 August 2004, the Permanent Representative of the Democratic People's Republic of Korea stated that he had taken note of the proposal, which would be forwarded to Pyongyang for the Government's consideration. In the meetings held on 28 November 2005 and 6 December 2006, the Permanent Representative stated that his Government did not recognize the

[9] See A/HRC/2/9, chap. I, sect. B.

resolution adopted by the Commission on Human Rights on the situation of human rights in the Democratic People's Republic of Korea and was therefore unable to accept the High Commissioner's offer. The Government of the Democratic People's Republic of Korea argued that "under current circumstances in which the technical cooperation is being abused as a means of pressure to enforce the implementation of the resolution, the [Democratic People's Republic of Korea] has been left with no option" but not to agree to it.[10] The Permanent Representative nonetheless stated that he had taken note of the High Commissioner's willingness to offer technical assistance. No further communication has been received from the Government on this matter to date.

26. Notes have consequently been submitted by the secretariats of the Commission on Human Rights and the Human Rights Council pursuant to Commission resolutions 2003/10 (E/CN.4/2004/31), 2004/13 (E/CN.4/2005/32) and 2005/11 (E/CN.4/2006/32) and Council decision 2/102 (A/HRC/4/60) to transmit the findings and recommendations of the Acting High Commissioner and the High Commissioner, respectively, to the Commission and the Council.

27. The Office of the High Commissioner for Human Rights provides to special procedures, in particular the Special Rapporteur on the situation of human rights in the Democratic People's Republic of Korea and the Working Group on Enforced or Involuntary Disappearances, personnel and logistical and research assistance to support them in the discharge of their mandates.

IV. Assistance for the promotion and protection of human rights in the Democratic People's Republic of Korea extended by the United Nations system

28. In a letter dated 15 May 2007, the High Commissioner for Human Rights invited United Nations bodies to submit to her Office relevant information on the human rights situation in the Democratic People's Republic of Korea. The Office of the High Commissioner for Human Rights subsequently received relevant information from the following United Nations entities: Office of the United Nations High Commissioner for Refugees (UNHCR); Food and Agriculture Organization of the United Nations (FAO); World Food Programme (WFP); United Nations Development Programme (UNDP); United Nations Children's Fund (UNICEF); and United Nations Educational, Scientific and Cultural Organization (UNESCO).

A. Office of the United Nations High Commissioner for Refugees

29. UNHCR stated that a constant flow of nationals of the Democratic People's Republic of Korea continue to leave the country, seeking protection, assistance and/or settlement elsewhere. A number of concerns stem from these movements, such as reports of severe curtailing of the right to freedom of movement, including the right to leave the country; increased risks of smuggling and of trafficking in

[10] Letter dated 28 February 2005 from the Permanent Representative of the Democratic People's Republic of Korea to the United Nations Office at Geneva addressed to the High Commissioner for Human Rights.

human beings, in particular women for the purposes of prostitution and/or forced marriages; violation of the fundamental principle of non-refoulement by countries of transit; reports of severe punishment in case of forced return to the Democratic People's Republic of Korea; restrictive policies applied by countries of transit, in particular, arrest and detention; no access to basic social and economic rights, no access to legal stay and related documentation (even for long-stayers) and prolonged exit procedures that severely impact the well-being of nationals of the Democratic People's Republic of Korea awaiting settlement in third countries. Unaccompanied women and children are particularly affected by these issues. UNHCR warned that, should the situation in the Democratic People's Republic of Korea deteriorate and these movements increase, the countries of transit with limited capacity could have difficulty in coping.

B. Food and Agriculture Organization of the United Nations

30. FAO reports[11] that the aggregate 2006 cereal output was estimated at some 4 million tons (including rice in milled terms), some 2.6 per cent less than the good crop of 2005 but still 14 per cent above the average of the past five years. With a steady recovery in agricultural production over the past few years, the cereal import requirement has been almost halved since the start of the decade. Given the relatively high level of production again in 2006, the cereal deficit for the 2006/07 marketing year (November/October) is estimated to remain just under 1 million tons, the second lowest in the past seven years. If the estimated level of imports materializes, the per capita cereal consumption in the country would remain at some 160 kg, close to the status quo. For the period November 2006 to April 2007, the Government commercially imported 40,000 tons of grains and received another 900 tons as food aid. The Republic of Korea has also pledged 400,000 tons of rice under an agreement reached at the thirteenth meeting of the North-South Committee for the Promotion of Economic Cooperation in April 2007. However, even if these commitments are fulfilled, there would remain a deficit of 510,000 tons in the current marketing year, which needs to be covered by additional commercial imports and/or food aid. Prospects are favourable for the 2006/07 secondary (winter/spring) season cereal crops, mostly wheat and barley, to be harvested from June onwards. Output, as usual, will depend critically on the weather during the main rainy season and the availability of fertilizer and other essential inputs which have remained in short supply in past seasons. As in the past few years, the Republic of Korea has donated 300,000 tons of fertilizer for the next main season.

C. World Food Programme

31. Regarding the food security situation in the Democratic People's Republic of Korea, WFP noted that it had received confirmation from the Government in March 2007 that the 2006/07 food deficit was 1 million tons owing to reduced agricultural production following the 2006 floods. The downward trend of food-aid imports continued in 2007 with only 5 per cent of the annual gap having been covered as of

[11] Crop Prospects and Food Situation No. 3, May 2007, p. 21.

30 May 2007.[12] Developments with regard to the nuclear issue further exacerbated the difficulties in receiving food imports from either bilateral or multilateral sources. Limited access to the field prevented WFP and other international organizations from being able to effectively assess the food security situation and detect specific cases of food shortages. Without sufficient food aid and food imports, food-insecure regions are expected to be affected, with the likelihood of increasing malnutrition rates for vulnerable groups (pregnant and lactating women, children under 5 years of age and those without recourse to substitute means of getting food). These 6-7 million vulnerable people have experienced a second consecutive winter with insufficient food supplies. Furthermore, winter is the time when malnutrition is exacerbated among vulnerable people in the Democratic People's Republic of Korea owing to poor access to food supplies and a reliance on unbalanced diets and deficient in vitamins and minerals. The measles outbreak in February 2007 could be an indicator of the worsening nutritional status. The WFP two-year Protracted Relief and Recovery Operation has a food component of 150,000 tons for 1.9 million beneficiaries. One year into the operation, WFP has received only 22 per cent (US$ 23 million) of its overall requirements and is only able to reach 700,000 of its intended beneficiaries in 30 of the intended 50 counties.

D. United Nations Children's Fund

32. UNICEF reported that children in the Democratic People's Republic of Korea are desperately in need of assistance because of acute shortages of food and essential drugs, the degraded quality of water and sanitation systems and the poor quality of care provided in childcare institutions.

33. On 15 February 2007, the Government requested UNICEF and the World Health Organization (WHO) to provide help in responding to an outbreak of measles. The resultant mass immunization campaign reached 16.2 million people aged 6 months to 45 years and demonstrated the possibilities for effective cooperation with the authorities.

34. In accordance with the policy of "no access, no assistance" implemented by the majority of resident development agencies following the Government's decision to deny access to the 25 counties in the three provinces of Changang, Ryanggang and North Hamgyong, in early May 2007, UNICEF informed the Government that it would no longer support interventions in those provinces (except for immunization and vitamin A programmes which are carried out nationwide), but would reverse its decision if granted access again. UNICEF has joined other United Nations agencies in advocating for access to these provinces as chronic malnutrition rates of children in these areas are among the highest in the country.

35. UNICEF, in close partnership with WHO, provided vaccines, immunization supplies, cold-chain equipment and training to the national immunization programme, which contributed to the improvement of routine immunization. UNICEF provided essential medicines, targeted especially at women and children, to health institutions covering 55 per cent of the country's total population, with the objective of reducing mortality, particularly from diarrhoea and acute respiratory

[12] WFP Operations in the Democratic People's Republic of Korea — Overview: Food Security Situation, 30 May 2007.

infections. More focus was placed on strengthening women's health, with the formulation of the National Reproductive Health Strategy in collaboration with the Ministry of Public Health and concerned partner agencies.

36. The nutritional status of children continued to improve, as reflected in the 2004 nutrition survey conducted by UNICEF jointly with the Government and WFP. At the policy level, a protocol for the treatment of severely malnourished children based on WHO standards was developed and disseminated nationwide. To address maternal malnutrition, protocols on iron folate supplementation before pregnancy and multimicronutrient supplementation during pregnancy were developed, and nationwide supplementation started from 2005. Early childhood care and development were promoted through training on the improvement of practices in care institutions where the growth and development of children are regularly monitored.

37. In 2006 access to safe drinking water and improved sanitation facilities increased in selected communities, childcare institutions, primary schools and hospitals covering a population of around 400,000 people. An additional 5 million people in large urban centres benefited from treated clean water and functioning pumping stations.

38. The Ministry of Education has also requested support from UNICEF in improving the quality of education. In 2006 the learning and teaching environment improved for over 14,000 children through the rehabilitation of school facilities, and such investments are continuing in 2007.

E. United Nations Development Programme

39. The UNDP presence in the Democratic People's Republic of Korea since 1979 has allowed for a more effective international response to the food shortages that the country experienced in the 1990s. Over the past decade UNDP funded roughly $3 million in development activities per year, focusing on food production, rural and environmental sector management, economic management and social sector management.

40. On 1 March 2007, UNDP suspended its operations in the Democratic People's Republic of Korea. At the request of the Government, UNDP withdrew its remaining international staff members in May 2007. UNDP announced the suspension of its activities, in view of the failure to implement conditions set up following reports that United Nations funds improperly went to the Government of the Democratic People's Republic of Korea. A report by the independent United Nations Board of Auditors on UNDP activities in the Democratic People's Republic of Korea found that there has been no large-scale or systematic diversion of United Nations funds provided to support humanitarian relief efforts.

F. United Nations Educational, Scientific and Cultural Organization

41. UNESCO reported no substantial changes in terms of legislation on restrictions on the freedoms of thought and expression and on equal access to information. UNESCO noted that serious concerns have been expressed over the

situation of freedom of expression in the Democratic People's Republic of Korea by non-governmental organizations.

V. Conclusions and recommendations

42. The present report outlines the limited progress made in implementing the measures set out in previous resolutions of the Commission on Human Rights and the General Assembly on the human rights situation in the Democratic People's Republic of Korea and the recommendations addressed to the Government by the United Nations special procedures and treaty bodies.

43. The High Commissioner for Human Rights will continue her efforts to engage in a constructive dialogue with the authorities of the Democratic People's Republic of Korea with a view to establishing technical cooperation programmes in the field of human rights by inviting the Permanent Representative of the Democratic People's Republic of Korea to the United Nations Office at Geneva for a meeting in 2007 and to work with other United Nations agencies to strengthen the promotion and protection of human rights for all nationals of the Democratic People's Republic of Korea.

44. The Secretary-General calls upon the Government of the Democratic People's Republic of Korea to extend free and full access to United Nations agencies and other humanitarian actors in order for them to be able to carry out their mandates. The Secretary-General is hopeful that through improved cooperation and dialogue, the United Nations will be able to help promote and protect human rights in the Democratic People's Republic of Korea.